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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 SECURITIES AND EXCHANGE)
12 COMMISSION,)
13 Plaintiff,)
14 v.)
15 MARK LESLIE, ET AL.,)
16 Defendants.)

Case No.: C 07-03444 JF (PVT)

**ORDER SETTING BRIEFING
SCHEDULE ON DEFENDANT
LONCHAR'S MOTION TO QUASH
SUBPOENA**

[Docket No. 227]

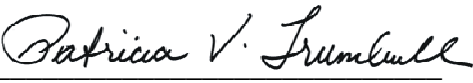
17 Defendant Kenneth E. Lonchar moves to quash a subpoena and preclude use of any
18 documents obtained pursuant to that subpoena. *See*, Motion to Quash Subpoena and Preclude
19 Use of Documents Obtained Pursuant Thereto for Violation of Court Order and Federal Rules of
20 Civil Procedure filed on December 28, 2009. (Docket No. 227). To date, plaintiff SEC has not
21 opposed the motion.¹ Accordingly,

22 IT IS HEREBY ORDERED that plaintiff SEC shall file an opposition, if any, no later
23 than January 15, 2010 and defendant Lonchar shall file a reply no later than January 22, 2010.
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27 ¹ Defendant Lonchar's motion notes that plaintiff SEC stated that it would be
28 unable to provide a response the week of December 21, 2009 due to holiday travel. Motion at 4.
Additionally, plaintiff SEC represented to defendant Lonchar that it would oppose any motion to
quash. To date, however, no opposition has been filed and no request for a response date has
been made. Accordingly, this order follows.

1 IT IS FURTHER ORDERED that the motion will be taken under submission pursuant to
2 Civ. L.R. 7-1(b).

3 Dated: January 8, 2010

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5 PATRICIA V. TRUMBULL
6 United States Magistrate Judge
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